

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA  
Southern Division

**U.S.A. vs. Ryan James Whalen**

**Docket No. 7:13-MJ-1237-RJ**

**Petition for Action on Probation**

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ryan James Whalen, who, upon an earlier plea of guilty to Driving While Impaired, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on June 4, 2014, to 12 months probation under the conditions adopted by the court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On October 21, 2014, the defendant was charged with Possession of Drug Paraphernalia by the Jacksonville Police Department, and on November 6, 2014, the probation officer sent a violation report to the court recommending that no action be taken pending disposition of the case in Onslow County District Court. On April 30, 2015, the defendant pled guilty to Possession of Drug Paraphernalia (14CR056681) and was placed on 90 days unsupervised probation upon condition he complete 24 hours of community service.

With the exception of this incident, the defendant has complied with all conditions of supervision. As a sanction for the violation conduct, the probation officer recommends that the defendant complete 12 hours of community service.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall perform 12 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Dwayne K. Benfield

Dwayne K. Benfield

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kristyn Super

Kristyn Super

U.S. Probation Officer

200 Williamsburg Pkwy Unit 2

Jacksonville, NC 28546-6762


Phone: 910-346-5104

Executed On: May 6, 2015

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**ORDER OF THE COURT**

Considered and ordered this 6 day of May, 2015 and ordered filed and made a part of the records in the above case.

  
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Robert B. Jones, Jr.  
U.S. Magistrate Judge